well-known Treatises on Quasi Contracts.* But with all its redundancy, notwithstanding its almost total omission of even the most leading British cases, notwithstanding occasional misreadings of well-known decisions, for example that of Simmons v. Lillystone (Sec. 6), the author has not only shown immense industry, but has produced a work of some value to practising lawyers. The book, though hardly of the sort which one has become accustomed to expect from the publishers, is in physical make-up fully up to their standard.

Francis H. Bohlen.

Law School,
University of Pennsylvania.

EQUITY IN ITS RELATIONS TO COMMON LAW. By W. B. Billson. Boston: Boston Book Co., 1917.

This little book is an inquiry into the nature of the distinction between law and equity; an attempt to discover whether the jurisdiction of equity was, in the main, procedural or whether it was based on substantive doctrines different from those of the common law, and growing out of a superior or more modern morality. The view taken is that equity has not been restricted, as frequently contended, to the relief of such common law defects as were due to inadequacies of procedure, but has had for its province as well the enforcement of a superior morality by relieving in the interests of good conscience against many types of defects in the substantive law. Upon this question conflicting views have been entertained. The main thesis of the work is an attack upon the procedural theory, as stated by Blackstone and supported as the author candidly admits by such authorities as Story, Adams, Maitland and Langdell. It is particularly with the exposition of Langdell in his "Brief Survey of Equity Jurisdiction" that the author takes issue. He would be a bold man who would attempt to sum up so ancient and obscure a controversy, and the author is entitled to credit for the philosophical and scholarly spirit in which he has undertaken his task. Theoretically the matter is one of interest; practically, in these days when law and equity, like the lion and the lamb have lain down together, it may be doubted whether the question is of as much importance as would appear at the first glance. Even Pomeroy, whose views are in seeming conflict with those of Langdell, concedes that equity "no longer inaugurates new attacks upon legal doctrines, and confines itself to the application of principles already settled." It may even be doubted whether the eminent jurists who have attempted to generalize upon a subject that is the product of slow growth and cross currents of opinion, were as far apart in fact as the literal acceptance of their words would lead one to believe.

William H. Loyd.

Law School,
University of Pennsylvania.

* See Reference to Mr. Bowers's chapter on "Waiver of Conversion," 66 UNIV. OF PA. L. REV. 185.